

5/20/87

SB 683  
Montford  
(Holzheuser)

SUBJECT: Bay and estuary studies

COMMITTEE: favorable, without amendment

VOTE: 6 ayes--T. Smith, J. Harris, C. Johnson, Holzheuser, Shelley, Yost

0 nays

3 absent--Hammond, Russell, Toomey

SENATE VOTE: On third reading, March 26--voice vote

WITNESSES: For--Ken Kramer, Lone Star Chapter of the Sierra Club; G.K. Sprinkle, National Audubon Society

Against--None

On--Reg Arnold and Gary Powell, Water Development Board

BACKGROUND: The 1985 water package, HB 2 by Craddick, requires the Texas Water Commission to include conditions necessary to maintain beneficial inflows of water into bays and estuaries in new surface-water permits issued for an area within 200 river miles (about 100 land miles) of the coast.

The bill defines "beneficial inflows" as fresh-water flows that dilute the salt water enough and supply enough nutrients and sediments to maintain an "ecologically sound environment" necessary to support "a productive habitat" for economically important fish and shellfish.

In formulating permit conditions, the commission must consider the specific competing interests in the conflict over fresh-water inflows and whether any studies showed a need for fresh water in the affected bay or estuary.

HB 2 also authorized the Department of Water Resources (then the state water agency) and the Parks and Wildlife Department to conduct economic and scientific studies to determine the amount of fresh-water inflows required to maintain the bays and estuaries. The

studies are funded out of the Water Research and Planning Fund and must be completed by Dec. 31, 1989.

DIGEST:

SB 683 would make the Parks and Wildlife Department and the Water Development Board jointly responsible for conducting studies of the effects of fresh-water inflows on bays and estuaries. The board would support the studies out of the water research and planning fund. The studies would have to be completed by Dec. 31, 1989.

The commission and the department would review and comment on the studies.

Advisory councils established to guide research on each principal bay and estuary would include representatives from the Texas Water Commission, parks and wildlife, the Department of Health, the General Land Office and the conservations districts, reclamation districts, or river authorities operating in the river basins or watersheds that empty into the bay or estuary, as well as one representative from commercial fishing groups, recreational fishing and hunting groups, and conservation groups.

SUPPORTERS  
SAY:

This bill would clarify the confusion over the respective roles of the Water Development Board and the Water Commission in conducting bay and estuary studies. There has been confusion because HB 2 directed the Department of Water Resources to conduct the bays and estuaries studies. Subsequently, the Department of Water Resources was abolished and two separate agencies -- the Water Commission and the Water Development Board -- assumed its functions. The bill gives the Water Development Board and the Parks and Wildlife Department the authority to conduct the studies. The commission and parks department will review and comment on the studies. The board is responsible for funding the studies from the Water Research and Planning Fund.

The studies are important to determine how much fresh-water inflows are required to protect the commercial and environmental values of bays and estuaries. The results will be used by the water commission to assure preservation of the bays and estuaries.

Bays and estuaries are a vital resource that must be protected. Shrimp and virtually all other commercially valuable animals that live in the bays and estuaries

depend on flows of fresh water from rivers and creeks. To reproduce and mature properly, these animals need water that is less salty than the water in the Gulf of Mexico. Fresh-water flows also flush sediments and nutrients down to the coast, where they nourish marsh plants. In turn, dead plant material, or "detritus," nourishes the microscopic animals that shrimp and fish eat.

OPPONENTS  
SAY:

Letting fresh-water flow into the Gulf constitutes waste. Water should be put to beneficial use for use by people, who are surely more important than fish and shrimp.